

GIBSON DUNN

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>3/16/16</u>

Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, NY 10166-0193
Tel: 212.351.4000
www.gibsondunn.com

Alexander H. Southwell
Direct: +1 212.351.3981
Fax: +1 212.351.6281
ASouthwell@gibsondunn.com

March 11, 2016

VIA ECF AND FACSIMILE

The Honorable Paul G. Gardephe
United States District Court for the
Southern District of New York
40 Foley Square, Courtroom 705
New York, N.Y. 10007

Re: Plaintiff's First Request to Adjourn the Initial Pretrial Conference in Uggla v. Does 1-10, No. 15 Civ. 9567 (S.D.N.Y.)

Dear Judge Gardephe:

I represent Plaintiff in the above-captioned action, which was filed as a "Doe" action against Defendants whose identities are not presently known to Plaintiff. Because Plaintiff has not been able to establish Defendants' identities, and thus has not been able to serve Defendants, Plaintiff respectfully requests an adjournment of the initial pretrial conference currently scheduled for March 17, 2016 at 10:15 AM for ninety days. Plaintiff proposes June 30, 2016 for the rescheduled initial pretrial conference. This is Plaintiff's first such request.

As more fully set forth in the Complaint, Defendants have harassed and intimidated Plaintiff in violation of the Computer Fraud and Abuse Act, 18 U.S.C. § 1030(g), and the Electronic Communications Privacy Act, 18 U.S.C. § 2520. Plaintiff has been actively engaged in efforts to uncover the identities and locations of Defendants, in order to effectuate service and pursue Plaintiff's claims. Despite diligent efforts, Plaintiff has not yet discovered sufficient concrete information about Defendants' names or locations. Accordingly, Plaintiff respectfully seeks an adjournment of the initial pretrial conference for ninety days to allow for further ongoing efforts to locate and serve Defendants.

Respectfully submitted,

Alexander H. Southwell